

**IN THE HIGH COURT OF JUDICATURE AT CALCUTTA
CIVIL APPELLATE JURISDICTION
APPELLATE SIDE**

HEARD ON: 21.05.2024
DELIVERED ON:21.05.2024

CORAM:

**THE HON'BLE MR. CHIEF JUSTICE T.S. SIVAGNANAM
AND
THE HON'BLE MR. JUSTICE HIRANMAY BHATTACHARYYA**

M.A.T. 645 of 2021

With

IA No. CAN 1 of 2021

Sri Shankar Das

Vs.

The Child Welfare Committee, Hooghly & Ors.

JUDGMENT

(Judgment of the Court was delivered by T.S. SIVAGNANAM, C.J.)

1. This intra-Court appeal is directed against the order dated 9th July, 2021 in W.P.A. 11071 of 2021.
2. In the said writ petition, petitioner, who has a mentally unsound daughter, who had delivered a child and the District Social Welfare Officer, Hooghly had approached the Chairperson of the Child Welfare Committee, Hooghly and a request was made to rescue the new born. The Court after considering the factual position found that the writ petitioner has already made a representation dated 30th June, 2021 to the Child Welfare Committee for custody of the child and a direction was issued to the Committee to decide the application in accordance with the procedure laid down under the Act of 2015 within a period of 15 days. The respondent authorities were restrained from putting up the child for adoption for a period of 45 days.
3. Though, the appeal was filed on 14th July, 2021 was not moved earlier and by efflux of time, nothing would survive for adjudication in this appeal.
4. Accordingly, appeal along with the connected application stand disposed of.

5. However, disposal of this appeal will not prejudice the right of parties, if in any manner, other collateral proceedings that may be pending.
6. No costs.
7. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(T.S. SIVAGNANAM)
CHIEF JUSTICE

I agree.

(HIRANMAY BHATTACHARYYA, J.)